

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
AT TACOMA

TIMOTHY LAWRENCE PRINCE,

Petitioner,

v.

STATE OF WASHINGTON AND KITSAP  
COUNTY,

Respondent.

Case No. C05-5493FDB

ORDER ADOPTING REPORT  
AND RECOMMENDATION AND  
DISMISSING PETITION

The Magistrate Judge recommends that this habeas petition be dismissed as moot. The Court having reviewed the Report and Recommendation of the Hon. Karen L. Strombom United States Magistrate Judge and the remaining record, does hereby find and Order:

- (1) The Court adopts the Report and Recommendation;
- (2) The petition is **DISMISSED WITH PREJUDICE** for the reasons set forth in the Report and Recommendation.
- (3) The clerk is directed to send copies of this Order to petitioner, respondent's counsel and to the Hon. Karen L. Strombom.

DATED this 8<sup>th</sup> day of June, 2006.

  
FRANKLIN D. BURGESS  
UNITED STATES DISTRICT JUDGE

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